

## Formal Inquiry Committee Guidelines for School Staff

The following guidelines are for the information of staff that are either required to establish, to conduct or to attend a Formal Inquiry into the alleged academic misconduct by a student. A formal enquiry is initiated by a Head of School or the Director: CRE and in matters of academic misconduct are in response to the recommendation of an Academic Integrity Officer who has considered that the student conduct warrants a formal inquiry. These guidelines have been developed to ensure a level of consistency in the information provided to the committee members and to ensure there is a full brief of all the relevant information.

The membership of a committee of formal inquiry should be constituted according to the APPM cl. 9.6.4, and is instigated by the Head of School, with the following membership:

- the Head of School or Director: CRE (chair)
- a member of academic staff nominated by the Divisional Pro Vice Chancellor (usually an Academic Integrity Officer from another school within the division)
- one other member of academic staff
- a nominee of the Director: Student and Academic Services, and
- the president of UniLife or nominee, or, in the case of transnational students, a representative of the UniSA partner institution

The formal inquiry may proceed even if all members are not in attendance, provided there is a quorum of three, including the Head of School or Director: Regional Engagement as Chair. However, every effort should be made to ensure that all members attend. Where members are unable to attend, they are to be notified of the outcome.

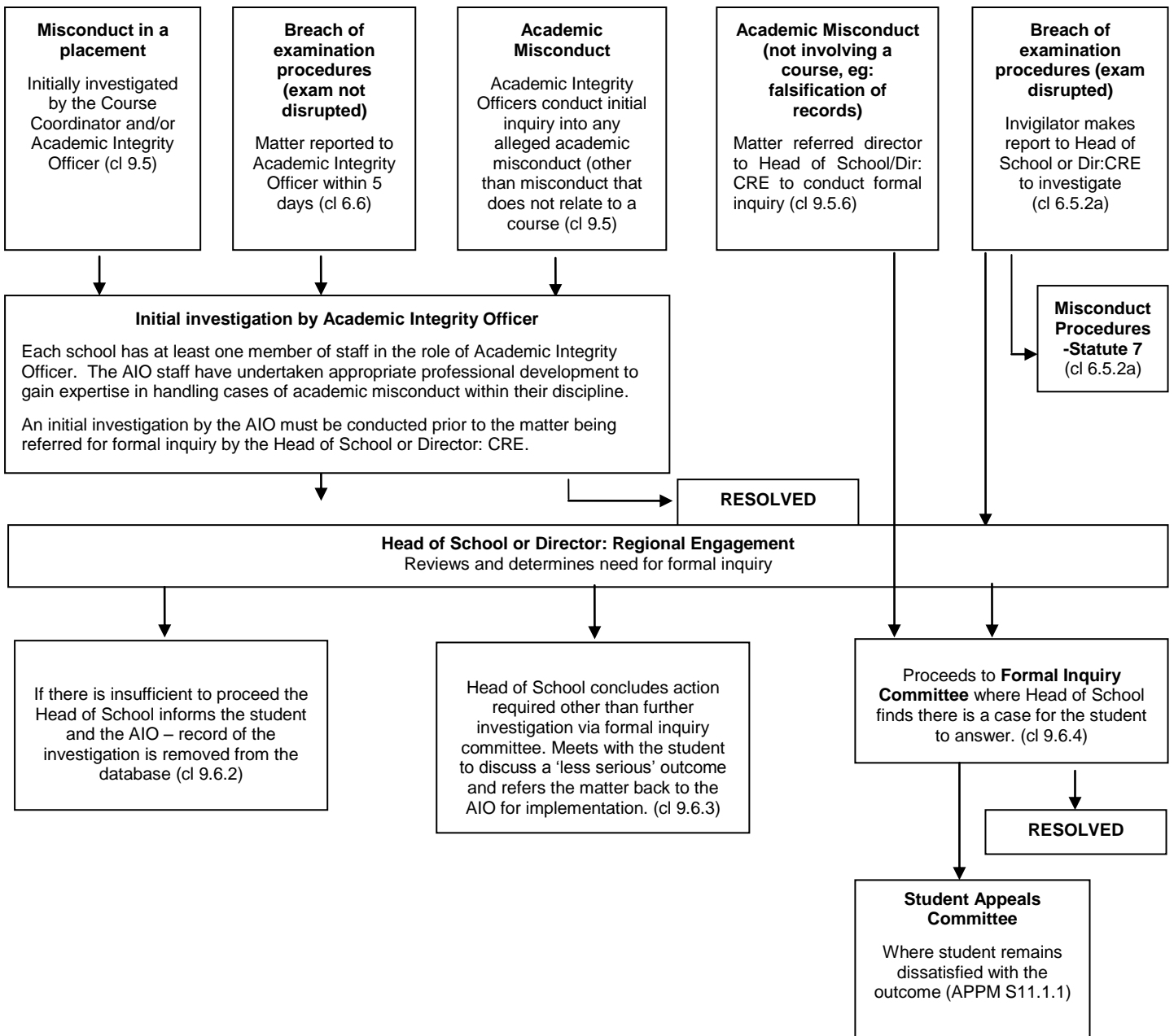
It is recommended that the members of the inquiry are provided with the following documents to ensure they are fully informed of the issues and have sufficient time before the inquiry to give due consideration to the matters under discussion.

### Documents to be provided to ALL members of the formal inquiry committee and the student

The executive officer to the committee is responsible for providing each member with the documents listed below at least 4 working days before the formal inquiry, where possible. *In the interests of natural justice, this documentation is also to be provided to the student who is the subject of the inquiry.* The executive officer should also collect all documentation at the end of the meeting and ensure that it is destroyed using a confidential disposal method.

1. A summary (in dot point) setting out the chronology of the events leading up to the Formal Inquiry.
2. A copy of the relevant section of the Assessment Policies and Procedures Manual:
  - Misconduct in a placement – Section 4: Practicum, Field and Clinical Placements; or
  - Breaches of examination procedures – Section 6: Examination Procedures; or
  - Academic Integrity – Section 9: Academic Integrity.
3. A copy of the relevant Course Information Booklet to clarify the course / assessment requirements.
4. A copy of the program schedule to clarify where the course sits in the program structure.
5. A copy of the student's academic record.
6. Any other relevant information on the student's file at Campus Central.
7. Any written submissions from the student.
8. Any communication (including a write up of a telephone conversation) that may be provided by an academic about the student.
9. A copy of the student's assignment/s in question.
10. A copy of Academic Integrity Officer's report.
11. A copy of all documents/e-mails/records indicating when and what was communicated to the student leading up to the student enquiry together with a summary of these documents in chronological order to ensure proper process was followed.

## Process Flowchart



Outcome options	Reference (2009)
<p>1. The options available to the formal inquiry committee are set out in clause 9.6.11 of the APPM and are as follows:</p> <p>a) Where the formal inquiry concludes that the action of the student <b>does not constitute academic misconduct</b>, no further action will be taken.</p> <p>Where the inquiry arose following the removal of a student from a placement (Section 4: (Practicum, Field and Clinical Placements, cl. 4.6.6), the student may be reinstated in the existing placement or arrangements made to complete an alternative placement following counselling from the Academic Integrity Officer.</p> <p>b) Where the formal inquiry concludes the action of the student <b>constitutes academic misconduct, warranting an outcome equivalent to or less serious than failure</b> in the assessment component of the course, the outcomes described in clause 9.5.4 (b) apply, as follows—</p> <ul style="list-style-type: none"> <li>i. re-submission of the assessment; if resubmissions are provided for in the course information booklet, or</li> <li>ii. another outcome appropriate to the case but with an impact less serious than a zero in the assessment component of the course; or</li> <li>iii. failure, with a zero score, in the assessment component of the course.</li> </ul> <p>The matter may be referred back to the Academic Integrity Officer for implementation of the above outcomes where appropriate.</p> <p>c) Where the formal inquiry concludes that the action of the student <b>constitutes academic misconduct, and warrants an outcome more serious than failure</b> in the assessment component of the course, the committee will determine one of the following outcomes:</p> <ul style="list-style-type: none"> <li>a) Failure in the course; or</li> <li>b) failure in the course and suspension from the course for a period not exceeding one year; or</li> <li>c) suspension from the University for a period not exceeding three years; or</li> <li>d) another outcome appropriate to the case but with an impact less serious than expulsion from the University; or</li> <li>e) expulsion from the University</li> </ul>	<p>Clause 9.6.11 (a)</p> <p>Clause 9.6.11 (b)</p> <p>Clause 9.5.4</p> <p>Clause 9.6.11 (c)</p>
<p>2. The Head of School or Director: CRE is to provide written confirmation of the outcome to:</p> <ul style="list-style-type: none"> <li>a) the student ( by registered mail within ten working days of the decision); and</li> <li>b) the relevant Academic Integrity Officer; and</li> <li>c) the Course Coordinator and Program Director; and</li> <li>d) Campus Central to be retained on the student's file.</li> </ul> <p>3. A copy of section 9 of the APPM is to be included with the Head of School's letter to the student, together with advice about appeal rights.</p> <p>4. The student's transcript will record suspension (only during the period of suspension) and expulsion, but will not record any other outcome.</p>	<p>Clause 9.6.13</p> <p>Clause 9.6.14</p> <p>Clause 9.8.12</p>

## Appendix A

Process for initial inquiry into Misconduct in a placement (APPM S4)	Reference (2009)
<p><b>Note:</b> The University has a responsibility to ensure all students who are required to undertake a placement have the capacity to behave appropriately, without endangering themselves or others or having a detrimental impact on the placement environment or the University.</p>	Clause 4.1.4
<p><b>1.</b> The Course Coordinator or placement provider has identified that the student has failed to:</p> <ul style="list-style-type: none"> <li>a) meet the assessment requirements as detailed in the course information booklet;</li> <li>b) adhere to the professional standards and workplace requirements of the placement provider;</li> <li>c) provide completed, or has submitted late completion documentation (e.g. journals, case notes etc.) unless an extension has been agreed by the Course Coordinator</li> <li>d) discuss critical incidents or issues of concern with the placement supervisor or Course Coordinator, or has</li> <li>e) been involved in actions which may be considered as academic misconduct as described in Section 9: Academic Integrity; or</li> <li>f) behaviour that may constitute misconduct under Statute 7: Student Misconduct.</li> </ul>	Clause 4.5.1
<p><b>2.</b> The student will be required to meet with the Course Coordinator and/or Academic Integrity Officer (in person or via email or teleconference. OR</p> <p>The student was immediately removed from the placement (by the placement provider, Course Coordinator or Program Director.</p>	Clause 4.6.1 Clause 4.6.2
<p><b>3.</b> The student may be assisted by a representative of UniLife, or in the case of transnational students, a representative of the UniSA partner institution.</p>	Clause 4.6.3
<p><b>4.</b> As a result of this meeting if the Course Coordinator makes a decision to suspend the placement and to remove the student, then the Course Coordinator must make a written recommendation, including reasons for the suspension to the head of School or Director: CRE.</p>	Clause 4.6.5
<p><b>5.</b> The Head of School/Director: CRE will review the recommendation of the Course Coordinator's and decide:</p> <ul style="list-style-type: none"> <li>a) that the student be allowed to continue the placement; or</li> <li>b) arrange for the student to complete an alternative placement, or</li> <li>c) confirm the immediate removal of the student from the placement, and after consultation with the Course Coordinator, initiate an investigation into the circumstances leading to the removal of the student from the placement.</li> </ul>	Clause 4.6.6
<p><b>6.</b> The Head of School/Director: CRE decides that the matter is to be investigated in accordance with the formal inquiry procedures of the APPM (clause 9.6)</p>	Clause 4.6.8

## Appendix B

Process for initial inquiry into breaches of examination procedures (S6)	Reference (2009)
<p><b>Note:</b> A breach of the examination procedures may constitute academic misconduct. Procedures are deemed to be breached even if it cannot be demonstrated that the student gained an advantage as a result of the breach.</p> <p>eg: if a student takes a mobile telephone or device into the examination room but does not switch it on or remove it from their pocket, it may still constitute academic misconduct although the intent is recognised in determining an appropriate outcome.</p>	<p>Clause 6.4.1</p>
<p>Breaches of the examination procedures which constitute academic misconduct, as determined by the Academic Integrity Officer, are dealt with under Section 9: Academic Integrity of the APPM.</p>	<p>Clause 6.4.2</p>
<p><b>Incident resulting instant dismissal from the exam room by the chief invigilator</b></p>	
<p>1. Where the chief invigilator has dismissed a student from the examination room for disrupting the exam, the chief invigilator documented the incident and provided a report to the Head of School or Director: Regional Engagement.</p>	<p>Clause 6.5.1</p>
<p>2. The Head of School or Director: Regional Engagement investigated the incident as either:</p> <ul style="list-style-type: none"> <li>a) academic misconduct by following the procedures for formal inquiry set out in Section 9: Academic Integrity, or</li> <li>b) misconduct under Statute 7: Student Misconduct.</li> </ul>	<p>Clause 6.5.2</p>
<p><b>Incident that did not cause a disruption or did not result in dismissal from the exam room</b></p>	
<p>1. The invigilator will documented the incident and provided a copy of the report to the Academic Integrity Officer at the relevant school within five working days of the incident taking place.</p>	<p>Clause 6.6.2</p>
<p>2. The Academic Integrity Officer determined that the breach constituted academic misconduct and investigated the incident in accordance with the procedures for managing alleged academic misconduct set out in Section 9: Academic Integrity. (See page <b>Appendix C</b>)</p>	<p>Clause 6.6.3</p>

## Appendix C

Process for initial inquiry into Academic Misconduct (APPM S9)	Reference (2009)
<p><b>Note:</b> Cases of academic misconduct that <b>do not relate</b> to a particular course [eg. falsification or misrepresentation of academic records (see clause 9.2.1 f), the matter is referred straight to the Head of School or Director: Regional Engagement to undertake a formal inquiry. There is no initial inquiry process</p> <p>If, at the conclusion of the formal inquiry, the action is determined to constitute academic misconduct, the following outcomes ,as specified in clause 9.6.11 c) (i) (ii) (iii) (iv) and (v)</p> <ul style="list-style-type: none"> <li>• failure in the course, or</li> <li>• failure in the course and suspension from the course for a period not exceeding three years, or</li> <li>• another outcome appropriate to the case, but with an impact less serious than expulsion from the University, or</li> <li>• expulsion from the University</li> </ul>	<p>Clause 9.5.9</p>
<p>1. Academic staff member raised concerns of possible academic misconduct with the School Academic Integrity Officer.</p>	<p>Clause 9.5.1</p>
<p>2. Academic Integrity Officer to notify student of allegation within 5 working days of becoming aware of the issue.</p>	<p>Clause 9.5.2</p>
<p>3. Academic Integrity Officer met/discussed with student about the issue within 20 days of initially notifying the student of the concerns.</p>	<p>Clause 9.5.2</p>
<p>4. The student was provided with the opportunity to have a representative UniLife, or in the case of transnational students, a representative of the UniSA partner institution, or any staff member or student of the University to participate in the discussion.</p> <p><b>NB:</b> The University has made the decision not to permit solicitors/lawyers to represent students in matters of internal review. If the student is unhappy with the outcome of the review there are procedures for appeal against the initial decision. Once the internal processes are exhausted students have the right to take a matter outside the University to say, the State Ombudsman.</p>	<p>Clause 9.5.3 (a) and (b)</p>
<p>5. As a result of the meeting with the AIO the student received academic counselling and was provided with a proposed course of action.</p>	<p>Clause 9.5.4</p>
<p>6. The Academic Integrity Officer advises the Head of School or Director: CRE to initiate a formal inquiry, and provides a record of the initial inquiry.</p>	<p>Clause 9.5.4 (c)</p>
<p>7. Where the AIO has determined there was academic misconduct, they will:</p> <ul style="list-style-type: none"> <li>• record the case in a central database</li> <li>• provide a report to the student and the Course Coordinator within ten working days of receiving the report from the AIO (see cl. 9.5.6.b.)</li> <li>• forward a copy of the report to Campus Central to be retained on the student's file.</li> </ul>	<p>Clause 9.5.6</p>
<p>8. The student notified the Academic Integrity Officer in writing of their agreement, or otherwise, to the proposed course of action within five working days of the Academic Integrity Officer's advice.</p> <p><b>NB:</b> Even if the student chose not to participate in the preliminary discussion with the AIO, the AIO can decide on the most appropriate outcome.</p>	<p>Clause 9.5.7</p> <p>Clause 9.5.5</p>

9.	The Head of School: Director CRE reviews the report of the AIO and concludes the case is insufficient to proceed, notifies the AIO and the student in writing.	Clause 9.6.1
10.	<p>The Head of School or Director: Regional Engagement reviews the evidence and concludes the action of the student constitutes academic misconduct and warrants an outcome <u>equivalent to or less serious than</u>, failure in the assessment component of the course, the following actions should be taken:</p> <ul style="list-style-type: none"> <li>• The Head of School will meet with the student</li> <li>• an outcome described in clause 9.5.4 b(i) or (ii) will be applied</li> <li>• the matter will be referred back to the AIO for implementation and</li> <li>• the AIO will notify the student and the Course Coordinator in writing of the outcome</li> </ul>	Clause 9.6.3
11.	The Head of School or Director: CRE establishes a formal inquiry committee.	Clause 9.6.4
12.	The Head of School or Director: CRE invites the student (in writing) to attend the Formal Inquiry and provides details of the alleged misconduct. The letter to student must also include a copy of the APPM S9 – Academic Integrity.	Clause 9.6.8
13.	The student may be assisted at the inquiry by a representative of UniLife, or in the case of transnational students, a representative of the UniSA partner institution, any staff member of the University.	Clause 9.6.9
<b>NB:</b>	The University has made the decision not to permit solicitors/lawyers to represent students in matters of internal review. If a student is unhappy with the outcome of the review there are procedures for appeal against the initial decision. Once the internal processes are exhausted students have the right to take a matter outside the University to say, the State Ombudsman.	